ANNEXURE 'B'

THE MYSORE STATE UNIVERSITIES BILL, 1973

(L. A. Bill No. 37 of 1973)

A Bill to enact uniform law relating to Universities in the State of Mysore.

WHEREAS the Karnatak University Act, 1949, the Mysore University Act, 1956 and the Bangaltre University Act, 1964 are in force in the State ;

AND WHEREAS it is expedient to have a common Act for all the three Universities ;

BE it enacted by the Mysore State Legislature in the Twenty-fourth Year of the Republic of India as follows :—

CHAPTER 1

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Mysore State Universities Act, 1973.

(2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

2. *Definitions.*—In this Act and in the Statutes, Ordinances, Regulations and Rules, unless the context otherwise requires,—

(1) " appointed day " means the date notified by the State Government under sub-section (2) of section 1 ;

(2) " college " means an institution maintained by the University as such and includes an institution admitted

to the privileges of the University as an affiliated college of the University in accordance with the provisions of this Act and the Statutes and Ordinances ;

(3) " hostel " means a unit of residence for students of the University maintained or recognised by the University in accordance with the provisions of this Act ;

(4) " notification " means a notification published in the official Gazette ;

(5) " Principal " means the Head of a college and includes the person for the time being acting in that capacity ;

(6) " registered graduate " means a graduate registered under this Act ;

(7) " Statutes ", " Ordinances ", " Regulations " and " Rules " mean respectively the Statutes, Ordinances, Regulations and Rules of the University made under this Act ;

(8) " teachers " includes Professors, Readers, Lecturers and other persons imparting instruction in the University or in any college ;

(9) " teachers of the University " means persons appointed or recognised by the University for the purpose of imparting instruction in the University or in any college ;

(10) " University " means a University established and incorporated under section 3 ;

(11) " University Area " means the area under the jurisdiction of a University established and incorporated under section 3.

CHAPTER II

THE UNIVERSITIES

6. *Establishment and incorporation of Universities.*— (1) There shall be established with effect on and from the appointed day the following Universities, namely :—

(*a*) the Bangalore University with headquarters at Bangalore and territorial jurisdiction over the area comprising the Bangalore District ;

(*b*) the Karnatak University with headquarters at Dharwar and territorial jurisdiction over the area comprising the districts of Belgaum, Bellary, Bidar, Bijapur, Dharwar, Gulbarga, North Kanara and Raichur;

(*c*) the Mysore University with headquarters at Mysore and territorial jurisdiction over the area comprising the Coorg District, the Madras Area and the Mysore Area excluding the Bellary District and the area under the territorial jurisdiction of the Bangalore University:

(2) Notwithstanding anything contained in sub-section (1), the State Government may, at any time, by notification,—

(*a*) exclude from the territorial jurisdiction of any University any area or include therein any additional area;

(*b*) establish a new University altering the territorial jurisdiction of one or more Universities established and incorparated under sub-section (1):

Provided that no notification establishing a new University shall be issued by the State Government unless a resolution to that effect has been passed by both the Houses of the State Legislature.

(3) Every such notification establishing a new University shall specify the name and headquarters of such University, its territorial jurisdiction, and the date from which such University shall be established.

(4) (i) The Chancellor, the Pro-Chancellor, the Vice-Chancellor and the members of the Senate, the Syndicate and the Academic Council of the University shall constitute a body corporate by the name of the University specified in sub-section (1) or in the notification issued under sub-section (2), as the case may be;

(ii) Each of the said Universities shall have perpetual succession and a common seal and shall sue and be sued by such name.

(5) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it for the purposes of the University and to borrow moneys from the Central Government, the State Government or from any body corporate approved by the State Government, and to contract and to do all other things necessary for the purposes of this Act.

(6) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

4. *Powers of the University.*—Subject to the provisions of this Act, and such conditions as may be prescribed by the Statutes or Ordinances, the University shall have the following powers, namely :—

(i) to provide for instruction, teaching and training in such branches of learning and courses of study as it may think fit and to make provision for research and dissemination of knowledge ;

(ii) to hold examinations and to grant and confer degrees, diplomas and other academic distinctions on persons who,—

(*a*) have pursued a course of study in the University or in any College unless exempted therefrom in the manner prescribed by the Statutes, Ordinances or Regulations, and have passed the examinations prescribed by the University ; or

(*b*) have carried on research under conditions prescribed by the Statutes or Ordinances ;

(iii) to confer honorary degrees or other distinctions on persons in the manner laid down by the Statutes ;

(iv) to grant diplomas and to provide such lectures and instruction for persons not being enrolled students of the University, as the University may determine;

(v) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(vi) to make recommendations to institute, suspend or abolish Professorships, Readerships, Lecturerships and any other teaching posts required by the University;

(vii) to institute and award fellowships, travelling fellowships, scholarships, studentships, stipends, medals and prizes;

(viii) to maintain and administer Colleges, Laboratories, Libraries, Museums, Printing Presses, Institutes of Research and other institutions necessary to carry out the objects of the University;

(ix) to establish, maintain and administer hostels;

(x) to supervise and control the residence and discipline of students of the University;

(xi) to make arrangements for promoting the health and general welfare of the students of the University;

(xii) to fix fees, to demand and receive such fees and other charges as may be prescribed by ordinances;

(xiii) to make special arrangements in respect of residence, discipline and teaching of women students;

(xiv) to make recommendations create administrative, ministerial and other necessary non-teaching posts;

(xv) to hold and manage any endowments, donations or funds which may become vested in the University

for the purpose of the University, by grant, testamentary disposition or otherwise, and to invest such endowments, donations or funds in any manner that may be deemed fit;

(xvi) to undertake publications of works of merit and research and general knowledge;

(xvii) to organise, encourage, regulate and control University Unions pertaining to the students or to employees;

(xviii) to maintain—

(*a*) a Bureau of Information,
(*b*) an Employment Bureau,
(*c*) a Publications Department,
(*d*) University Extension Boards and
(e) Student Welfare Bureau;

(xix) to admit educational institutions not maintained by the University to the privileges of the University as affiliated Colleges or to withdraw such affiliation;

(xx) to make grants from the funds of the University—

(*a*) for extra-mural teaching,
(*b*) for physical and military training,
(*c*) for students' unions,
(*d*) for sports and athletic clubs, and
(*e*) for the maintenance of institutions or associations devoted to educational purposes;

(xxi) to provide through its Professors and other teachers, and the Departments and special research Institutes of the University, such teaching and guidance as the affiliated colleges may require;

(xxii) to borrow moneys with or without security for such purposes as may be approved by the Government, from the Central Government, any other Government, or the University Grants Commission or from any other incorporated body approved by the Government;

(xxiii) to do such other acts and things whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University and generally to cultivate and promote arts, science and other branches of learning and culture.

5. *Jurisdiction, admission to privileges etc.*—(1) Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall be exercised in the University Area and no educational institution beyond the said area shall be associated with or admitted to any privileges of the University.

(2) Subject to the provisions of any other law relating to Universities for the time being in force, no educational institution situate within the University Area shall be associated in any way with or be admitted to any privileges of and affiliated to any other University established and incorporated by law and any such affiliation granted by any such other University to any such institution within the said territorial jurisdiction prior to the appointed day shall be deemed to be withdrawn on that date.

(3) All educational institutions,—

(i) admitted to the privileges of the Bangalore University under the Bangalore University Act, 1964,

(ii) admitted to the privileges of or affiliated to the Karnatak University under the Karnatak University Act, 1949,

(iii) admitted to the privileges of or affiliated to the Mysore University under the Mysore University Act, 1956,

prior to the appointed day, shall, with effect on and from that day and subject to the provisions of Chapter IX be deemed to be institutions affiliated to the Bangalore University or the Karnatak University or the Mysore University, as the case may be, established under this Act:

Provided that if in respect of any college any recommendation for affiliation has been made in accordance with

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸರ್ಕಾರದ
(ಅಭಿಲೇಖಾಲಯ ಗ್ರಂಥಾಲಯ)
Accession No. 6010
Date...

any of the said enactments which on the appointed day is subsisting such institution shall be deemed to be affiliated to the University established under this Act within whose territorial jurisdiction such college is situate.

(4) The colleges, attached hostels, other buildings together with the articles of furniture, libraries, books, laboratories, stores, instruments, appartus, appliances and equipment and all other property, movable and immovable belonging to the Bangalore, Karnatak and Mysore Universities and all proceedings including legal proceedings pending prior to the appointed day shall with effect on and from that day, stand transferred respectively to the Bangalore University, Karnatak University and Mysore University established under section 3.

(5) When a new University is established under sub-section (2) of section 3 all educational institutions situate within the territorial jurisdiction of that University, and affiliated to any of the Universities established under section 3 prior to the date of establishment of that University shall, with effect on and from that date be deemed to be institutions affiliated to the said University.

(6) The provisions of sub-section (5) shall *mutatis mutandis* be applicable to the educational institutions situate within the areas included within the territorial jurisdiction of any University established by notification under sub-section (2) of section 3.

6. *University open to all classes.*—(1) The University shall be open to all persons of either sex and of whatever race, creed, caste or class and it shall not be lawful for the University to impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student, or to hold any office therein or to graduate thereat or to enjoy or exercise any privilege thereof.

(2) Subject to the provisions of sub-section (1), the University shall, in accordance with the special or general

orders of the State Government, reserve seats for purposes of admission as students in any college or institutions maintained or controlled by the University for the following classes of persons, namely :—

(i) the Schedule Castes and the Scheduled Tribes ;

(ii) members of classes and communities declared by the State Government from time to time to be socially and educationally backward ;

(iii) women ;

(iv) nominees of the Central Government ; and

(v) defence personnel or ex-servicemen and their children or wards.

(3) The University may, subject to like sanction, grant to persons falling under all or any of the categories specified in sub-section (2), any exemption from payment of such fees or boarding, lodging or other charges or from all fees and charges, or provide such special scholarships, as it may deem fit.

7. *Teaching of the University.*—(1) All recognised teaching in connection with the University courses shall be conducted under the control of the Academic Council by teachers of the University and shall include lecturing, laboratory work and other teaching conducted in accordance with any syllabus prescribed by the Regulations.

(2) The authorities responsible for organising such teaching shall be prescribed by the Statutes.

(3) The courses and curricula shall be prescribed by the Ordinances and subject thereto, by the Regulations.

8. *Inspection and control.*—(1) (*a*) The Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment and any institution maintained, administered, recognised or approved by the University and also of

the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the University.

(*b*) The Government shall, in every case, give notice to the University of its intention to cause an inspection or enquiry to be made, and the University shall be entitled to be represented and to be heard thereat.

(2) (*a*) The person directed to make an inspection under sub-section (1) shall have access to the premises and institutions to be inspected and to all the accounts and other records relevant for the purpose.

(*b*) Such person shall, for the purpose of enquiring have the powers which are vested in a court under the Code of Civil Procedure, 1908, in respect of the following matters :—

powers which are vested in a court under the Code of Civil Procedure, 1908, in respect of the following matters :—

(i) discovery and inspection ;

(ii) enforcing the attendance of witnesses ;

(iii) compelling the production of documents ;

(iv) examining witnesses on oath ;

(v) reception of evidence taken on affidavits ; and

(vi) issuing commissions for the examination of witnesses ;

and may summon and examine suo motu any person whose evidence appears to him to be material, and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898.

(3) The Government may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and the Vice-Chancellor shall communicate to the Syndicate the views of the Government in respect of the action to be taken thereon by the University.

(4) The Syndicate shall communicate through the Vice-Chancellor to the Government such action, if any, as

it has taken or it proposes to take upon the result of such inspection or inquiry.

(5) Where the Syndicate does not, within a reasonable time, take action to the satisfiaction of the Government, the Government may, after considering any explanation furnished, or representatin made by Syndicate issue such directions as it may think fit and the Syndicate shall be bound to comply with the same.

(6) Without prejudice to the foregoing provisions of this section, the Government may, by order, published in the official Gazette, annual any proceedings of the University which is not in conformity with this Act, the Statutes or the Ordinances :

Provided that before making any such order the Government shall call upon the University to show cause why such an order should not be made, and, if any cause is shown within a reasonable time shall consider the same.

(7) The Syndicate shall furnish such returns, statements, accounts or other particulars relating to the administration of the University as the Government may from time to time require.

CHAPTER III

Officers of the University

9. *Officers of the Uiversity.*—The following shall be the officers of the University—

(*a*) the Chancellor,
(*b*) The Pro-Chancellor,
(*c*) The Vice-Chancellor,
(*d*) The Registrar,
(*e*) The Controller of Examinations.
(*f*) Finance Officer,
(*g*) Deans,

(*h*) Dean of Student—Welfare.

(*i*) Any other officers recognised as such by the Pro-Chancellor on the recommendation of the Vice-Chancellor.

10. *The Chancellor.*—(1) The Governor of Mysore shall, by virtue of his office. be the Chancellor of the University.

(2) The Chancellor shall be the Head of the University and shall, when present, preside over the meetings of the Senate and the Convocation of the University.

11. *The Pro-Chancellor.*—The Minister for Education for the State of Mysore shall, by virtue of his office be the Pro-Chancellor of the University.

(2) The Pro-Chancellor shall exercise such powers as are or may be conferred on him by this Act, the Statutes, Ordinances and Regulations.

(3) The Pro-Chancellor may call for, for his information, any papers relating to the administration of the affairs of the University from any officer of the University other than the Chancellor and such requisition shall be complied with by such officer. The Pro-Chancellor after persuing the papers so called for may give such directions in respect of any proceeding of the University relating to the administration of the affairs of the University other than the academic affairs which is not in confirmity with this Act, the Students, Ordinances. Regulations and Rules, as he deems necessary and such directions shall be complied with.

(4) No order under sub-section (3) shall be made to the prejudice of any party unless he has had an opportunity of being heard.

(5) The annual programme of work of the University shall be referred to the Pro-Chancellor and any suggestion made by him shall be acted upon by the University.

12. *The Vice-Chancellor.*—(1)The Vice-Chancellor shall be a whole time officer of the University.

(2) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Pro-Chancellor from out of a panel of not less than three persons recommended by a committee constituted under sub-section (3).

Provided that no person shall be appointed or hold office as Vice-Chancellor if he has attained the age of sixty years.

(3) The committee referred to in sub-section(2) shall consist of three persons of whom one shall be nominated by the Syndicate and two by the Chancellor. No preson nominated as a members of the committee shall be connected with the University or any college or institutions affiliated to the University. The Chancellor shall appoint one of the three members to be the Chairman of the committee :

Provided that if the Chancellor does not approve of anyone of the persons recommended by the committee he may call for fresh recommendation from the committee.

(4) The Vice-Chancellor shall hold office during the pleasure of the Chancellor.

(5) Subject to the provisions of the proviso to sub-section (2) and sub-section (4) the term of office of the Vice-Chtncellor shall ordinarily he for a period of three years but he shall be eligible for reappointment.

(6) The emoluments and other service conditions of the Vice-Chancellor shall be such as may be determined by the Pro-Chancellor and shall not be varied to his disadvantage after his appointment.

13. *The powers of the Vice-Chancellor.*—(1) The Vice-Chahcellor shall be the principal executive and academic officer of the University and shall exercise general control over the affairs of the University. He shall exercise all powers necessary for the due maintenance of discipline in the University.

(2) He shall be the *ex-officio* Chairman of the Syndicate, the Academic Council and the Finance Committee. He shall also preside over the Senate and at the Convocation in the absence of the Chancellor or Pro-Chancellor. He shall be entitled to be present at and to address any meeting of any authority or body of the University but shell not be entitled to vote thereat unless he is a member of such authority or body.

(3) The Vice-Chancellor shall ensure the observance of the provisions of this Act, the Statutes, Ordinances, Regulations and Rules and he shall have all powers necessary for that purpose.

(4) He shall have the power to convene meetings of the Senate, the Syndicate, the Academic Council and the Finance Committee and shall perform all such acts as may be necessary to carry out and give effect to the decisions of the said authorities. He may, by order in writing, delegate the power of convening any of the said meetings to any other officer of the University.

(5) In case of any emergency which in the opinion of the Vice-Chancellor, requires immediate action, he shall take such action as he deems necessary and shall, at the earliest opportunity thereafter, report his action to such officer, authority or body as would have in the ordinary course dealt with the matter :

Provided that if the action taken by the Vice-Chancellor is not approved by the officer, authority or body concerned he may refer the matter to the Pro-Chancellor whose decision shall be final :

Provided further that if the decision taken by the officer, authority or body on the report of the Vice-Chancellor under this sub-section affects adversely any person in the service of the University, that person shall be entitled to prefer an appeal to the Pro-Chancellor within thirty days from the date on which he receives the notice of the decision, and the decision of the Pro-Chancellor on such appeal shall be final.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordiances and Regulations.

14. *Arrangement of work during a vacancy in the office of the Vice-Chancellor.*—(1) During the temporary absence of the Vice-Chancellor by reason of leave, illness or any other cause, the Chancellor may make such arrangements for carrying on the duties of the Vice-Chancellor as he may deem fit.

(2) During the period a vacancy in the office of the Vice-Chancellor remains unfilled such person as the Chancellor may appoint shall act as Vice-Chancellor and the person so appointed shall have all the powers of the Vice-Chancellor and shall be entitled to the emlouments, allowances and privileges of the Vice-Chancellor.

15. *The Registrar.*—The Registrar shall be appointed by the Pro-Chancellor in consultation with the Vice-Chancellor.

(2) The Registrar shall be *ex-officio* secretary of the Senate. the Syndicate, the Academic Council and the Faculties.

(3) It shall be the duty of the Registrar,—

(a) to be the custodian of the records, the common seal and such other property of the University as the Vice-Chancellor or the Syndicate shall commit to his charge ;

(b) to issue all notices convening meetings of the Senate, the Syndicate, the Academic Council, the Faculties, the Boards of Studies and of any Committee appointed by the Authorities of the University, and to keep minutes of all such meetings :

(*c*) to conduct the official correspondence of the Authorities of which he is the Secretary ;

(*d*) to supply to the Chancellor, Pro-Chancellor and the Government copies of the agenda of the meetings of the Authorities of the University as soon as they are issued and the minutes of meetings of the Authorities, ordinarily within a month of the holding of the meeting.

(4) He shall exercise such other powers and perform such other duties as may be prescribed by the Statutes, Ordinances, Regulations or required from time to time by the Vice-Chancellor.

(5) He may be assisted in his duties by one or more Deputy Registrars.

16. *The Controller of Examinations.*—(1) The controller of Examinations shall be appointed by the Pro-Chancellor in consultation with the Vice-Chancellor.

(2) He shall be in charge of the conduct of examinations of the University and matters relating thereto and shall perform such other duties as may be prescribed by the Statutes or Ordinances or required by the Vice-Chancellor.

17. *The Finance Officer.*—The Finance Officer shall exercise and perform such powers and duties as may be prescribed and as may, from time to time, be conferred and imposed on him by the Senate, the Syndicate or the Vice-Chancellor.

18. *Deans.*—(1) Every Head of a Department of Studies who is a Professor shall, by rotation, according to seniority, for a period of two years, act as the Dean of the Faculty ; provided that if in any faculty there is no Professor the senior-most Reader shall act as the Dean, and if there is no Reader, such teacher as the Vice-Chancellor may designate, shall act as the Dean.

(2) The Dean of each Faculty shall be the executive officer of the Faculty, and shall preside at its meetings.

(3) The Dean shall issue the lecture lists of the University in the Departments comprised in the Faculty, and shall be responsible for the conduct of teaching thereon.

(4) The Dean shall have such other powers and functions as may be prescribed by the Statutes and Ordinances.

19. *Dean of student-welfare.*—(1) The Dean of student-welfare shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of the Syndicate.

(2) The term of office and the emoluments and other conditions of service of the Dean of student-welfare shall be such as may be prescribed by the Statutes or Ordinances or Regulations.

(3) The Dean of student-welfare shall exercise such powers and perform such functions as may be conferred or imposed on him by the Vice-Chancellor or as may be prescribed by the Statutes or Ordinances or Regulations.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

20. *Authorities of the University.*—The following shall be the Authorities of the University :—

(*a*) The Senate,
(*b*) The Syndicate,
(*c*) The Academic Council,
(*d*) The Finance Committee,
(*e*) The Board of Studies,
(*f*) The Faculties, and

(*g*) Such other bodies as may be declared by the Statutes to be the Authorities of the University.

21. *The Senate.*—(1) The Senate shall consist of the following members, namely :—

(1) The Chancellor ;

(2) The Pro-Chancellor ;

(3) The Vice-Chancellor ;

(4) Ten Deans of Faculties nominated by the Chancellor in consultation with the Pro-Chancellor, by rotation, for a period of one year ;

(5) The Commissioner for Education and Secretary to Government, Education Department ;

(6) The Director of Public Instruction in Mysore ;

(7) The Director of Collegiate Education in Mysore;

(8) The Director of Languages ;

(9) The Director of Pre-University Education in Mysore ;

(10) The Director of Youth Services in Mysore ;

(11) The Director of Technical Education in Mysore ;

(12) The Director of Agriculture in Mysore ;

(13) Eight members of the Mysore Legislative Assembly elected from amongst themselves ;

(14) Three members of the Mysore Legislative Council elected from amongst themselves ;

(15) The President, Kannada Sahitya Parishat, Bangalore ;

(16) The Dean of Student-Welfare ;

(17) Ten Principals nominated by the Chancellor in consultation with the Pro-Chancellor and the Vice-Chancellor, by rotation, for a period of one year.

(18) Five representatives of teachers other than Professors and Directors in post-graduate department elected from amongst themselves ;

(19) Five Professors and Directors in post graduate departments elected from amongst themselves ;

(20) Five persons elected by the registered graduates of the University ;

(21) Three persons from among the post graduate students of the University and two persons from among the under graduate etudents elected in such manner as may be prescribed by the Statutes ;

(22) Eleven persons nominated by the Chancellor in consulation with the Pro-Chancellor and the Vice-Chancellor from among persons having special knowledge in Literature, Science, Arts, Co-operative movement and Social Service ; put of whom on shall be a person belonging to a Scheduled Caste, one belonging to a Scheduled Tribe, one belonging to a Backward Class and another a University Graduate Teacher.

(2) No non-teaching employee of the University or a affiliated college shall be eligible to be elected or nominated to the Senate.

22. *Meetings of the Senate.*—(1) A meeting of the Senate shall be held at least twice every year on dates to

be fixed by the Vice-Chancellor. One of such meetings shall be the annual meeting.

(2) A report of the working of the University during the previous year together with a statement of receipts and expenditure, the financial estimates and the last audit report shall be presented by the Syndicate at the annual meeting of the Senate convened under sub-section (1).

(3) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing, signed by not less than twenty-five members of the Senate, convene a special meeting of the Senate.

23. *Powers and functions of the Senate.*—(1) The Senate shall have power to review from time to time the broad policies of the University and to suggest measures for the improvement and development of the University and to consider and pass resolutions on the annual accounts and audit reports of the University.

(2) Save as otherwise expressly provided in this Act, the Senate shall have the following powers, namely :—

(*a*) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit for research and for the advancement and dissemination of learning ;

(b) to make provision as will enable affiliated colleges and recognised institutions to undertake specialisation of stduies ;

(c) to establish and maintain departments of research and specialised studies ;

(d) to make recommendations to institute professorships, readerships, lecturerships and any other posts of teachers required by the University ;

(*e*) to institute followships, travelling fellowships, scholarships, studentships, exhibitioins, medals and prizes ;

(*f*) to institute and confer degrees, titles, diplomas and other academic distinction ;

(*g*) to confer, on the recommendation of the Syndicate honorary degrees, titles, or other academic distinctions ;

(*h*) to make, amend or repeal Statutes ;

(*i*) to consider, cancel, refer back but not amend Ordinances ;

(*j*) to consider the annual financial estimates prepared by the Syndicate and pass resolutions with reference thereto ;

(*k*) to elect members to such authorities as provided in the Act or the Statutes ;

(*l*) to confer, on the recommendation of the Syndicate the title of Professor Emeritus ;

(*m*) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act, the Statutes, Ordinances and Regulations :

Provided that the powers under (*a*) to (*g*) shall not be exercised except on the recommendation made by the Syndicate and the Academic Council.

24. *The Syndicate.*—The Syndicate shall consist of the following persons namely :—

(i) The Vice-Chancellor,

(ii) The Director of Collegiate Education,

(iii) The Commissioner for Education and Secretary to Government, Government of Mysore,

(iv) One Dean, by rotation, according to seniority, from among those who are not Principals of Colleges, for a period of one year,

(v) Principals of three Colleges, including at least one Principal of a Women's College, by rotation in such

manner as may be prescribed by the Statutes, for a period of one year,

(vi) Three persons none of whom is employed in the University or in an affiliated College, elected by the Senate from among its members,

(vii) Two persons nominated by the Chancellor,

(viii) One Professor of post-graduate studies by rotation, according to seniority, for a period of one year.

25. *Powers of the Syndicate.*—(1) Subject to the general directions of the Senate, the Syndicate shall have the power of management and administration of the revenue and properties of the University, the control of all administrative affairs of the University and the control over the institutions of the University.

(2) Subject to the provisions of this Act, the Statutes, and the Ordinances, the Syndicate shall, in addition to all other powers vested in it, have the following powers, namely :—

(*a*) to manage and regulate the finances and all other administrative affairs of the University and for that purpose to appoint such agents as it may think fit ;

(*b*) to enter into very, carry out and cancel contracts on behalf of the University ;

(*c*) to appoint examiners and moderators and if necessary to change or to remove them and also to fix their fees emoluments and travelling and other allowances ;

(*d*) to make arrangements for the conduct of examinations ;

(*e*) to receive, acquire, hold, control and administer the properties of the University, both movable and immovable and to invest the funds of the University ;

(*f*) to borrow moneys from the Central Government, any other Government or the University Grant Commission or from any other incorporated body approved by the Government;

(g) to cause to be maintained proper accounts regarding the fnuds of the University and its properties;

(f) to prescribe, charge and collect fees—

(g) for tution andn research;

(h) for admission to the examination and to convocations;

(iii) for such other services as the University may undertake to do;

(iv) for affiliation and inspection of colleges and for the registration of graduates; and

(v) for such other purposes as may be prescribed by the Statutes.

(*i*) to prepare the financial estimates of the University and to submit the same to the Senate;

(*j*) to administer and control the colleges, hostels, libraries, laboratories, museums and other Institutions established or maintained by the University;

(*k*) to admit colleges as affiliated colleges of the University;

(*l*) to recognise hostels not administered by the University and to suspend or withdraw recognition;

(*m*) to supervise and control the residence and discipline of the students of the University and to make ararngements for promoting their health and well-being;

(*n*) to constitute and regulate the working of the Employment Bureau and the Bureau of Information;

(*o*) to delegate such of its functions to the Vice-Chancellor as may be prescribed by the Statutes;

(*p*) to select a common seal for the University and to provide for its custody and use;

(*q*) to arrange for the conduct of litigations, by or against the University;

(*r*) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by this Act, the Statutes or the Ordinances.

26. *Academic Council.*—The Academic Council shall consist of the following persons, namely:—

(i) The Vice-Chancellor,

(ii) Two members of the Syndicate nominated by the Vice-Chancellor,

(iii) The University Librarian,

(iv) Deans of Faculties,

(v) Heads of Post-Graduate Departments of Studies,

(vi) Five Principals of Colleges nominated by the Vice-Chancellor,

(vii) Five teachers other than those, specified in clauses (iv), (v) and (vi) elected from amongst themselves,

(viii) Three persons elected by the Senate from among its members,

(ix) Three persons nominated by the Chancellor, from amongst eminent educationsts out of whom one shall be a person belonging to a Scheduled Caste or a Scheduled Tribe,

(x) The Director of Public Instruction,

(xi) The President of the Adult Education Council.

27. *Powers of the Academic Council.*—(1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act, the

Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance of the standards of instruction, education and examinations of the University.

(2) Without prejudice to the generality of the foregoing provision and subject to the conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers, namely :—

(*a*) to make proposals for Ordinances relating to academic matters ;

(*b*) to make Regulations regarding the Courses of Study in so far as they are not covered by the Ordinances ;

(*c*) to make Regulations regarding the schemes of examinations and conditions on which the students shall be admitted to the examinations, degrees, diplomas, certificates or other academic distinctions ;

(*d*) to declare the results of the various University examinations, or to appoint committees or officers to do so ;

(*e*) to arrange for co-ordination of studies and of teaching in colleges and in recognised institutions ;

(*f*) to formulate schemes for promoting research within the University or for promoting other specialised studies including libraries, laboratories and museums ;

(*g*) to make proposals for allocating subjects to the Faculties and to assign its own members to the Faculties ;

(*h*) to fix the conditions under which exemptions relating to the admission of students to examinations may be given ;

(*i*) to make proposals for the institution of Professorships, Readerships, Lecturerships and other posts of teachers required by the University and for prescribing the duties of such posts ;

(*j*) to make proposals for the institution of fellowships, travelling fellowships, scholarships, studentships, exhibitions and for their award ;

(*k*) to make regulations prescribing equivalence of examinations ;

(*l*) to make regulations for granting exemptions from approved courses of study in the University or in affiliated colleges for qualifying for degrees, diplomas and other academic distinctions ;

(*m*) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by this Act, the Statutes, Ordinances or Regulations ; and

(*n*) generally to advise the University on all academic matters.

28. *Faculties.*—(1) The University shall have the Faculties of Arts, Commerce, Education, Engineering, Law, Medicine, Science and Technology and such other Faculties as may be prescribed from time to time by the Statutes.

(2) (*a*) Each Faculty shall consist of such Departments of Studies as may be assigned to it by the Ordinances.

(*b*) No Department of Studies shall be established or abolished except by Statutes.

(*c*) Each Department shall consist of the following members, namely :—

(i) Teachers of the Department ;

(ii) Persons appointed to conduct research in the Department ;

(iii) Dean of the Faculty ;

(iv) Honorary Professors, if any, attached to the Department.

(v) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

(*d*) Each Department shall have a Head who may be a Professor or, if there is no Professor, a Reader and whose duties and functions shall be as prescribed by Ordinances :

Provided that if there are more Professors, or as the case may be, Readers than one in any Department, no person shall be appointed to be the Head of any Department except in accordance with the provisions made in this behalf by the Ordinances :

Provided further that if there is no Professor or Reader in a Department, the Dean of the Faculty concerned shall be the Head of that Department.

(3) Each Faculty shall consist of the following members, namely :—

(i) Dean of the Faculty ;

(ii) Heads of Departments of Studies in the Faculty ;

(iii) All Professors in the Faculty ;

(iv) One Reader and ane Lecturer, by rotation, according to seniority, for a period of two years, from each Department in the Faculty ;

(v) One Teacher concerned, by rotation, according to seniority, for a period of two years, from each college provided the college provides instruction in any of the subjects assigned to the Faculty.

(vi) Such other persons as may be specified by the Statutes.

(4) The Faculties shall exercise such powers and perform such functions as may be prescribed by the Statutes.

29. *Board of Studies.*—(1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Ordinances.

(2) The constitution, functions and powers of the Boards of Studies shall be as prescribed by the Statutes.

30. *Finance Committee.*—(1) There shall be a Finance Committee consisting of the following members, namely :—

(i) The Vice-Chancellor ;

(ii) Two members elected by the Syndicate ;

(iii) One officer of the Department of Finance of the Government, nominated by the Pro-Chancellor.

(2) The Finance Committee shall exercise such powers and such functions as may be prescribed by the Statutes.

31. *Other Boards.*—(1) The University—

(*a*) shall establish a Board for selection of examiners, and

(*b*) shall have power to establish—

(i) a Board for Extra mural studies,

(ii) a Board for Student-Welfare, and

(iii) such other Boards as may be prescribed by Statutes.

(2) The constitution, functions and powers of the Boards established under sub-section (1) shall be as prescribed by the Ordinances.

32. *Term of office of members of the Senate, Syndicate and Academic Council.*—Save as otherwise provided in this Act, the Senate, the Syndicate and the Academic Council shall be reconstituted at or about the same time once in every three years, and members of the said authorities shall, except in the case of *ex-officio* members, hold office as members thereof up to the date of next reconstitution :

Provided that the term of a member appointed to fill a casual vacancy shall be the residuary term of his predecessor.

33. *Method of election of members of the Senate, the Syndicate and the Academic Council.*—In case of elected members of the Senate, Syndicate and the Academic Council, the method of election shall be as prescribed in the Statutes.

CHAPTER V

STATUTES, ORDINANCES, REGULATIONS AND RULES.

34. *Statutes.*—Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely :—

(*a*) the constitution, functions and powers of the authorities of the University and such other bodies as may be declared to be authorities of the University from time to time ;

(*b*) the election and continuance in office of the members of the said authorities or bodies, including the continuance in office of the first members and the filling of vacancies of members and all other matters relating to those authorities or bodies of which it may be necessary or desirable to provide ;

(*c*) the conferment of Honorary Degrees ;

(*d*) holding of convocations for conferring degrees and diplomas ;

(*e*) the withdrawal of degrees, diplomas, certificates and other academic distinctions ;

(*f*) the establishment, maintenance and abolition of faculties, departments, hostels, colleges and Institutions ;

(*g*) the conditions under which colleges may be affiliated and under which such affiliation may be withdrawn ;

(*h*) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*i*) the procedure of election to the authorities and the procedure to be followed at meetings of such other authorities or bodies including the quorum for the transaction of the business by them ;

(*j*) the classification of teachers of the University and in the affiliated colleges ;

(*k*) acceptance and management of bequests, donations and endowments ;

(*l*) the registration of graduates and maintenance of the register of registered graduates of different classes ; and

(*m*) all other matters which by this Act are to be or may be provided for by the Statutes.

35. *Statutes, how made.*—(1) The Senate may, from time to time, either on its own motion or on the submission thereof by the Syndicate make new or additional statutes or may amend or repeal Statutes in the manner hereinafter provided.

(2) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal of the Syndicate.

(3) The draft proposed by the Syndicate shall be considered by the Senate at its next meeting. The Senate may approve such draft and pass it or reject it or return it to the Syndicate for reconsideration either in whole or in part together with any amendment which the Senate may suggest.

(4) After any draft returned under sub-section (3) has been further considered by the Syndicate together with any amendments suggested by the Senate, it shall be again presented to the Senate with the report of the Syndicate thereon and the Senate may then deal with the draft in such manner as it thinks fit.

(5) No Statute affecting the powers or duties of any Authority or Officer of the University shall be considered by the Senate unless the draft of such Statute is referred by the Vice-Chancellor to such Authority or Officer for expressing its or his views thereon within such period as may be specified in the reference or within such further period as the Vice-Chancellor may allow and the period so specified or allowed has expired.

(6) Every Statute passed by the Senate shall be submitted to the Pro-Chancellor who may give or withhold his assent thereto or refer it back to the Senate for reconsideration with such observations as he may make.

(7) No Statute passed by the Senate shall have validity until assented to by the Pro-Chancellor and it shall come into force on the date of publication in the official Gazette or such other date as the Pro-Chancellor may fix.

36. *Ordinances.*—Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters :—

(*a*) admission of students to the University and their enrolment as such ;

(*b*) courses of study for all degrees, diplomas and certificates of the University ;

(*c*) degrees, diplomas and certificates and other academic distinctions to be awarded by the University, the qualifications for the same and the means to be taken relating to the granting and obtaining the same ;

(*d*) fees to be charged for the courses of study in the University and in the affiliated colleges and for admission to the examinations, degrees and diplomas of the University;

(*e*) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes ;

(*f*) conduct of examinations including the terms of office, manner of appointment and the duties of examining bodies, examiners and moderators;

(*g*) conditions of residence of students of the University;

(*h*) special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing for them special courses of study where necessary;

(*i*) giving of religious instruction;

(*j*) management of colleges and other institutions founded or maintained by the University;

(*k*) supervision and inspection of colleges and other institutions affiliated to the University;

(*l*) fees to be charged for the services rendered by the University;

(*m*) conditions for recognition of hostels not maintained by the University;

(*n*) health and discipline of students in the University and in the affiliated colleges and other institutions;

(*o*) rules to be observed and enforced by the colleges and recognised institutions in respect of transfer of students; and

(*p*) all other matters which by this Act or by the Statutes are to be or may be provided for by the Ordinances.

37. *Ordinances, how made.*—The Syndicate shall have power to make the Ordinances in the manner hereinafter provided.

(2) In making Ordinances, the Syndicate shall consult—

(*a*) the Board or Boards of Studies concerned when such Ordinances affect the appointment and duties of examiners; and

(*b*) the Academic Council when such Ordinances affect the courses of study, conduct or standard of examinations or the conditions of residence of students.

(3) Every Ordinance made by the Syndicate shall be submitted to the Pro-Chancellor and shall be placed before the Senate at its next meeting. The Senate shall have power to cancel or to refer back any such Ordinance by a resolution passed by a majority of the total membership of the Senate and by a majority of not less than two-thirds of the members of the Senate present and voting. An Ordinance cancelled by the Senate shall from the date of the passing of such resolution cease to have effect.

(4) The Syndicate shall not have power to amend any draft of an Ordinance proposed by the Academic Council but it may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with such amendments as the Syndicate may suggest.

(5) When the Syndicate has rejected the draft of an Ordinance proposed by the Academic Council, it may appeal to the Pro-Chancellor who may direct that the Ordinance shall be laid before the next meeting of the Senate for its approval and he may further direct that pending such approval the Ordinance shall have effect from such date as may be specified in his order :

Provided that if ordinance is not approved by the Senate at such meeting it shall cease to have effect.

(6) The Pro-Chancellor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance and any order of suspension under this sub-section shall cease to have effect on the expiration of one month from such order or the expiration of fifteen days from the date of consideration of the Ordinance by the Senate, whichever period expires later.

(7) The Pro-Chancellor may, at any time after an Ordinance has been considered by the Senate, signify to the Syndicate his disallowance of such Ordinance and from the date of receipt by the Syndicate of intimation of such dis allowance such Ordinance shall cease to have effect.

(8) Save as provided in sub-sections (5), (6) and (7) all Ordinances shall have effect from the date of their publi cation in the official Gazette or such other date as the Syndicate may direct.

38. *Regulations.*—(1) The Academic Council may, subject to the approval of the Syndicate, make Regulations consistent with this Act, the Statutes and the Ordinances.

(2) The Regulations may provide for exercising all or any of the powers enumerated in section 27 and particularly for the following matters, namely :—

(*a*) admission of students to the University ;

(*b*) recognition of examinations and degrees of other Universities as equivalent to the examinations and degrees of the University ;

(*c*) the University courses and examinations and conditions on which students of the University or the affiliated colleges or of other University Institutions shall be admitted to examinations, or degrees, diplomas and certificates of the University ;

(*d*) the granting of exemptions.

(3) Every Regulation shall come into force on the date of its publication in the official Gazette or such other date as the Syndicate may direct.

39. *Rules.*—(1) Any authority of the University specified in clauses (d) to (g) of section 20 and any other Board of the University may, subject to the approval of the Syndicate, make rules consistent with this Act, the Statutes, the Ordinances and the Regulations.

(2) The rules may provide for—

(*a*) the giving of notice to the members of each authority or Board of the dates of meetings and of the business to be transacted at the meetings and also for keeping a record of the proceedings of meeting ;

(*b*) the procedure to be followed at their meetings and number of members required to form the quorum for meetings ; and

(*c*) all matters solely concerning such authority or Board and not provided for by this Act, the Statutes, the Ordinances or the Regulations.

(3) The Syndicate may refuse to approve the rules submitted or may return them to the Authortiy or Board concerned for further consideration or may approve the Rules without modification or subject to such modifications as the Syndicate deems fit.

(4) Every rule made under this section shall come into force on the date of its publication in the official Gazette or such other date as the Syndicate may direct.

CHAPTER VI

Finance and Accounts

40. *University Funds.*—(1)The amounts received from any of the following sources shall form part of the University Fund.

(*a*) any contribution or grant made by the State Government ;

(*b*) any contribution or grant made by the University Grants Commission or by the Central Government ;

(*c*) any bequests, donations, endowments or other grants made by private individuals or institutions;

(*d*) the income received by the University from fees and charges;

(*e*) the amounts borrowed by the University; and

(*f*) the amounts received from any other source.

(2) The University Fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1943, or the Fund may be invested in securities authorised by the Indian Trusts Act, 1882, as may be decided by the Syndicate.

(3) The Fund may be employed for any of the purposes of the University in the manner prescribed.

41. *Power to borrow.*—The University may, with the previous sanction of the Government as regards the purpose and amount of loan and subject to such conditions as may be specified by the Government as to security, the rate of interest and the repayment of principal and interest, borrow any sum of money from the Central Government, any other Government, the University Grants Commission or any other incorporated body.

42. *Annual Accounts and Audit.*—(1) The annual accounts of the University shall be prepared under the direction of the Syndicate and a copy shall be sent to the Government.

(2) The accounts of the University shall, once at least in a year at intervals of not more than fifteen months, be audited by the Controller of State Accounts.

(3) The audited accounts of the University together with the Auditor's report shall be published by the Syndicate in the official Gazette and copies thereof shall be placed before the Senate.

(4) The annual accounts shall be considered by the Senate at its annual meeting. The Senate may pass resolutions with reference thereto and communicate the same to the Syndicate. The Syndicate shall take the suggestion made by the Senate into consideration and take such action thereon as it thinks fit. The Syndicate shall inform the Senate at its next meeting the action taken by it, or of the reasons for not taking action.

43. *Financial estimates.*—(1) The Syndicate shall prepare before such date as may be prescribed by the Statutes the financial estimates for the ensuing year and place the same before the Senate.

(2) The Syndicate may, in case where expenditure in excess of the amount provided in the Budget is to be incurred or in case of urgency for reasons to be recorded in writing, incur any expenditure for which the provisions made in the Budget is insufficient or where no provision has been made. In respect of such excess expenditure a report shall be made to the Senate at its next meeting.

44. *Power of Government to direct audit.*—The Government shall have power when deemed necessary to order an audit of the accounts of the University including those of the institutions managed by it by such auditors as it may direct.

45. *Annual Report.*—(1) The Syndicate shall prepare the Annual Report containing such particulars as the Government may specify, covering each financial year and submit it to the Senate on or before such date as may be prescribed by the Statutes. The Senate may pass resolutions thereon and the Syndicate shall take action in accordance therewith. The action taken shall be intimated to the Senate.

(2) Copies of the Annual Report along with the resolution of the Senate thereon shall be sent to the Government, and shall be laid before both the Houses of the State Legislature.

CHAPTER VII

VACANCIES IN THE AUTHORITIES AND ELECTIONS

46. *Vaccating of Office.*—(1) Any member other than *ex-officio* member of any authority or body of the University may resign his office by a letter addressed to the Registrar and the resignation shall take effect on receipt of the letter by the Registrar.

(2) No member of any authority or body of the University who is elected, appointed or nominated in his capacity as a member of a particular electorate or body or as a teacher or where expressly stated so as the holder of a particular appointment shall continue to be a member of such authority or body on his ceasing to be a member of the particular electorate or body or a teacher or the holder of that particular appointment.

(3) A member of any authority or body of the University shall cease to be a member on his being convicted by a court of law for any offence which involves moral turpitude.

47. *Filling of casual vacancies.*—When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or other body of the University before the expiry of the normal term of office of such member, the vacancy shall be filled up as soon as conveniently may be, by election, nomination or appointment, as the case may be, of a member who is otherwise eligible for that office, and such member shall hold office so long only as the member in whose place he has been elected, nominated or appointed, would have held it if the vacancy had not occurred :

Provided that if a vacancy be of an elected member of the Senate or of the Academic Council and occurs within six months preceding the date on which the term of office of such member expires, the vacancy may not be filled.

48. *Disputes regarding membership.*—(1) If any question arises whether any person has been duly elected or appointed as or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Pro-Chancellor.

(2) The decision of the Pro-Chancellor on that question shall be final and shall not be called in question in any court of law.

CHAPTER VIII

OFFICERS AND SERVANTS OF THE UNIVERSITY

49. *The Mysore Universities Service.*—(1) Notwithstanding anything contained in this Act or in any other law for the time being in force all posts of officers (other than the Chancellor, the Pro-Chancellor and the Vice-Chancellor) and other servants of the University shall be filled by appointment of officers belonging to the Mysore Universities Service.

Provided that the Government may fill any post by deputation of any officer of any other Service holding a post of an equivalent grade or higher grade.

(2) Every employee of the Bangalore University, the Karnatak University and the Mysore University established under the Bangalore University Act, 1964, the Karnatak University Act, 1949, and the Mysore University Act, 1956 respectively immediately before the appointed day shall, on and from the appointed day be deemed to have been employed by and become an employee of the State Government and shall hold his office in the Bangalore University, Karnatak University and the Mysore University as the case may be, established under section 3 by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held the same on the appointed day if this Act had not been passed and

shall continue to do so unless and until his employment under the State Government is terminated or until his remuneration, terms and other conditions of service are duly altered by the State Government:

Provided that nothing contained in this sub-section shall apply to any such employee who has, by notice in writing given to the State Government prior to the appointed day, intimated his intention of not becoming an employee of the State Government.

(3) (a) Where the Government is satisfied that for the purpose of securing uniformity in the scales of remuneration and other terms and condition of service applicable to the employees referred to in sub-section (2) it is necessary so to do, or that, in the interest of the Universities a reduction in the remuneration payable or a revision of other terms and conditions of service applicable to employees of any class is called for the State Government may notwithstanding anything contained in sub-section (2) or in the Industrial Disputes Act, 1947, or in any other law for the time being in force, or in any award, settlement, contract or agreement for the time being in force alter (whether by way of reduction or otherwise) the remuneration or other terms and conditions of service to such extent and in such manner as it thinks fit; and if the alteration is not acceptable to any employee, the Government may, terminate his employment by giving him compensation equivalent to three months remuneration unless the contract of service with such employee provides for a shorter notice of termination.

(b) The compensation payable to any employee under this sub-section shall be in addition to and shall not affect, any pension, gratuity, provident fund money or any other benefit to which the employee may be entitled under his contract of service.

(4) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the transfer of services of any employee referred to in sub-section (2) to the State Government shall not entitle any such employee to any compensation under

that Act or any other law and no such claim shall be entertained by any court, Tribunal or other authority.

50. *University Administration Establishment Fund.*—(1) There shall be constituted by Government a Universities Administration Establishment Fund to meet the expenditure in respect of salaries, allowances, pensions provident fund, gratuities and other necessary expenses payable to the officers of the Mysore Universities Service

(2) Notwithstanding anything contained in this Act or any other law for the time being in force every Uiversity shall every year contribute such sum to the University Administration Establishment Fund in such manner and at such times as the Government may by order determine.

(3) If the University fails to pay the amount required to be paid under sub-section (2) the Government may direct the officer in custody of the funds of the University concerned to pay such amount or so much thereof as is possible from the balance of such fund in his hands.

51. *Provident Fund, etc.*—If the Bangalore University the Karnatak University and the Mysore University established under the Bangalore University Act, 1964. the Karnatak University Act. 1949, the Mysore University Act. 1956 respectively, or any of them have established a provident fund or superannuation fund or any other fund for the benefit of its employees the moneys standing to the credit of any such fund on the appointed day together with any other assets belonging to such fund, shall, stand transferred to and vest in the State Government on the appointed day

CHAPTER IX

Affiliated Colleges

52. *Affiliation of Colleges.*—(1) Colleges within the respective University Area may, on satisfying the conditions specified in this section, be affiliated to the University as affiliated colleges as the Pro-Chancellor may decide

(2) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Syndicate and the Academic Council—

(*a*) that the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is to be established;

(*b*) that the college is to be under the management of a regularly constituted governing body;

(*c*) that the strength and qualifications of the teaching staff and the condition governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(*d*) that the buildings in which the college is to be located are suitable, and that provision will be made, in conformity with the Ordinances for the residence in the college or in lodgings approved by the college, for students not residing with their parents or guardians, and for the supervision and welfare of students;

(*e*) that due provision has been made or will be made for a library;

(*f*) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in the branch of science in a properly equipped laboratory or museum;

(*g*) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the college or the place provided for the residence of students;

(*h*) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(*i*) that the college rules fixing the fees (if any) to be paid by the students have been framed or will be framed to ensure that the scales of fees shall not exceed the scales prescribed by the Ordinances.

(3) The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all oher changes which result in any of the aforesaid requirements not being fulfilled or contained to be fulfilled shall be forthwith reported to the Syndicate.

(4) On receipt of a letter or application under subsection (2), the Syndicate shall—

(*a*) direct a local inquiry to be made by a competent person or persons authorised by the Syndicate in this behalf in respect of the matters referred to in subsection (2) and such other matters as may be deemed necessary and relevant;

(*b*) make such further inquiry as may appear to it to be necessary; and

(*c*) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the result of any inquiry under clauses (*a*) and (*b*).

(5) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Syndicate relating thereto to the Government which, after such inquiry as may appear to it to be necessary shall grant or refuse the application or any part thereof.

(6) Where the application or any part thereof is granted, the order of the Government shall specify the courses of instruction in respect of which the college is affiliated, and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(7) As soon as possible after the Government makes its order, the Registrar shall submit to the Senate a full report regarding the application, the action taken thereon under sub-sections (4) and (6) and of all proceedings connected therewith.

(8) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (5).

(9) Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by sub-section (1) to (8), shall, so far as may be, followed.

53. *Inspection of colleges and reports.*—(1) Every affiliated college shall furnish such reports, returns and other information as the Syndicate after consulting the Academic Council may require to enable it to judge the efficiency of the college or institution.

(2) The Syndicate shall cause every such college to be inspected from time to time by one or more competent persons authorised by the Syndicate in this behalf.

(3) The Syndicate may call upon any college so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (2) of section 52.

54. *Withdrawal of affiliation.*—(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (1) of section 52 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is pre-judicial to the interests of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. The member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Syndicate:

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Syndicate after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorised by the Syndicate in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council shall make a report to the Senate.

(5) On receipt of the report under sub-section (4) the Senate shall, after such further inquiry, if any, as may appear to it to be necessary, record its opinion in the matter:

Provided that no resolution of the Senate recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtaintd the support of two-thirds of the members present at a meeting of the Senate such majority comprising not less than one-half of the members of the Senate.

(6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate

and the Senate relating thereto, to the Government which after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deem fit.

(7) Whether by an order made sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

CHAPTER X

ENROLMENT AND DEGREES

55. *Eligiblity for admission of students.*—No student shall be eligible for admission to a course of study for a degree or diploma unless he possesses such qualifications as may be prescribed.

56. *Residence of students.*—Every student of the University shall reside in a hostel recognised by the University or under such conditions as may be prescribed by the Ordinances.

57. *Honorary Degrees.*—If not less than two-thirds of the members of the Syndicate recommend that an Honorary Degree or academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent attainments and position, fit and proper to receive such degree or academic distinction the Senate may by a resolution decide that the same may be conferred on the person recommended.

58. *Withdrawal of Degree or Diplomas.*—(1) The Senate may on the recommendation of the Syndicate withdraw any distinction, degree, diploma or privilege conferred on or granted to any person, by a resolution passed by a majority of the total membership of the Senate and by a majority of not less than two-thirds of the members of the

Senate present and voting at the meeting, if such person has been found convicted by a Court of Law for an offence which, in the opinion of the Senate, involves moral turpitude, or if he has been guilty of gross misconduct.

(2) No action under this section shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) A copy of the resolution passed by the Senate shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Senate may appeal to the Pro-Chancellor within thirty days from the date of receipt of such resolution.

(5) The decision of the Pro-Chancellor on such appeal shall be final.

CHAPTER XI

Miscellaneous and Transitory Provisions

59. *Discipline.*—(1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the Heads of Colleges, Hostels and other institutions.

(2) Notwithstanding anything contained in sub-section (1), the punishment of debarring a student from examinations or rustication from a college or hostel shall, on the report of the Vice-Chancellor, be considered and imposed by the Syndicate :

Provided that no such punishment shall be imposed without giving to the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

60. *Seniority.*—(1) Whenever, in accordance with this Act or the Statutes any person is to hold an office or be a member of any Authority or body of the University by rotation according to seniority, such seniority shall be determined by the order in which the names are arranged in the seniority list pertaining to that cadre or class of posts.

61. *Validity of proceedings, etc.*—(1) No disqualification of or defect in the election or appointment of any person as a member of any Authority or body of the University shall be deemed to vitiate any act or proceeding of such Authority or body in which such person has taken part, whenever the majority who were parties to such act or proceeding were entitled to act.

(2) No resolution of any Authority or body of the University shall be deemed invalid on account of any irregularity in the service of notice upon any member provided that the proceedings of such Authority or body were not prejuidically affected by such irregularity.

(3) During any vacancy in any Authority or body of the University, the continuing members may act as if no vacancy had occurred.

(4) No act done or proceeding taken under this Act shall be questioned on the ground merely of any defect or irregularity not affecting the merits of the case.

62. *Act to prevail over other enactments.*—This Act and any Statute, or Regulation or Ordinance made thereunder shall in respect of any college in the University Area have effect notwithstanding anything inconsistent therewith contained in any other enactment with respect to matters enumerated in List II of the Seventh Schedule to the Constitution of India or in any instrument having effect by virtue of any such other enactment or in the rules, regulations, bye-laws or other provisions applicable to the society, association or other body maintaining such college.

63. *Protection of acts and orders done in good faith.*— No suit or other legal proceeding shall lie against, and no damages shall be claimed from, the University or its authorities, bodies or officers for anything which is in good faith done or intended to be done in pursuance of this Act, the Statutes, Ordinances, Regulations or Rules made thereunder.

64. *Relations of affiliated colleges with the University.*—The relations of the affiliated colleges with the University shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the colleges affiliated to the University :—

(1) to specify the fees to be charged for courses of study in such colleges ;

(2) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges ;

(3) to co-ordinate and regulate the facilities provided and expenditure incurred by such colleges in regard to libraries, laboratories and other equipments for teaching and research ;

(4) to require such colleges, when necessary, to confine the enrolment of students to certain subjects ;

(5) to regulate conditions of service of teachers of such colleges including the grant of leave with or without allowances and the constitution of pension, insurance and provident funds for the benefit of such teachers ; and

(6) to require satisfactory arrangements for tutorial and similar other work in such colleges and to inspect such arrangements from time to time ;

Provided that such colleges shall supplement such teaching by tutorial or other instruction or training in a manner to be prescribed by the Regulation to be made by the Academic Council.

65. *Disputes as to constitution of University authorities and bodies.*—If any question arises whether any person has duly become, or is entitled to be, a member of the Syndicate or the Academic Council, the matter shall be referred to the Pro-Chancellor whose decision thereon shall be final.

66. *Filling of vacancies.*—All vacancies among the members (other than *ex-officio* members) of any authority or other body of the University by reason of death, resignation or otherwise shall be filled, as soon as conveniently may be, by the person or body who appointed, nominated, elected or co-opted the member whose place has become vacant, and the person so appointed, nominated elected or co-opted shall be a member of such authority or body for the un-expired portion of the term for which the member, in whose place such person is appointed, nominated, elected or co-opted, would otherwise have continued in office :

Provided that pending the appointment, nomination or election of any person to fill any such vacancy in the manner aforesaid, the vacancy (other than a vacancy in the Senate) may, if the authority or body of the University so decides, be filled by the co-option of any person qualified to fill such vacancy under the provisions of this Act, and any person so co-opted shall hold office as a member of such authority or body until a person is appointed, nominated, elected or co-opted thereto in accordance with the provisions of this Act.

67. *Transfer of colleges to the University and other provisions connected with or incidental to such transfer.*—(1) The State Government may, at any time—after the commencement of this Act, by order published in the official Gazette, direct that any college owned and maintained by

the State Government including the attached hostels and other buildings forming part of such college together with the articles of furniture, library, books, laboratories, stores, instruments, apparatus, appliances and equipment of such college shall, with effect from such date and subject to such conditions as may be specified in the order, be transferred to the University and upon the publication of the said order, such college including the attached hostels and other buildings forming part of such college together with the articles of furniture, library, books, laboratories, stores, instruments, apparatus, appliances and equipments of such college shall be deemed to have been transferred to the maintenance and control of the University as its college :

Provided that until arrangements are made by the University, the State Government shall be and continue to be responsible for keeping the buildings of the said college, including fixtures, fittings and connections, in a proper state of repairs, as may from time to time be required by the University.

(2) Nothing in this Act shall be deemed to authorise the University to sell, lease, exchange or otherwise dispose of any land or building transferred to the University under sub-section (1), or under sub-section (4) of section 5.

(3) Where any college has been transferred to the maintenance and control of the University by an order under sub-section (1), then, notwithstanding anything contained in this Act—

(*a*) all members of the teaching staff and other servants of the State Government who, immediately before the date of the publication of the said order, were serving in, or were attached to, that college shall stand transferred to the appropriate cadre or category of posts in the Mysore Universities Service.

(*b*) the University shall, consider, in consultation with the State Government, the claims to appointment in

the Mysore Universities Service of such teachers employed in any other educational institutions either within or without the territorial limits of the University as were in the service of the Government immediately before the date of such transfer in vacancies which in the event of such vacancies being filled by appointment or promotion of the teachers in the Mysore Universities Service who were immediately before the date of such transfer in the service of the Government, may involve the supersession of the claims of the teachers employed in the educational institutions referred to above.

(4) If the State Government is at any time satisfied that circumstances exist which render it necessary to withdraw any college transferred to the University under subsection (1) it may, by an order published in the official Gazette rescind the transfer and withdraw such college from the maintenance and control of the University.

68. *Removed by Chancellor of diwcultines at the commencement of this Act.*—If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of this Act or the Statutes the Pro-Chancellor may, at any time before all authorities of the University have been constituted, by order make any appointment or do anything consistent, so far as may be with the provisions of this Act and the Statutes, which appear to him necessary or expedient for the purpose of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act :

Provided that, before making any such order, the Pro-Chancellor shall ascertain and consider the opinion of the Vice-Chancellor, and of such of the appropriate authorities of the University as may have been constituted, on the proposed order.

69. *Transitory provisions.*—Notwithstanding anything contained in this Act, the Vice-Chancellor, may, for a period of one year from the commencement of this Act and with the previous approval of the Pro-Chancellor and subject to the provision of funds by the State Government or otherwise, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and for that purpose may exercise any powers or perform any duties which by this Act are to be exercised or performed by any officer or authority of the University, not being an officer or authority in existence at the time when such powers are exercised or such duties are performed.

70. *Continuance of Statutes, Ordinances, etc.*—(1) Until Statutes, Ordinances, Regulations and Rules are made under the appropriate provisions of this Act, the Statutes, Ordinances, Regulations and Rules which were in force under the Bangalore University Act, 1964 (Mysore Act 26 of 1964), the Karnatak University Act, 1949 (Mysore Act 20 of 1949) and the Mysore University Act, 1956 (Mysore Act 23 of 1956), immediately before the commencement of this Act shall, subject to such adaptations or modifications as may be made, therein by the Vice-Chancellor with the approval of the Pro-Chancellor in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes, Ordinances, Regulations and Rules made under the appropriate provisions of this Act.

(2) The person holding the office of the Vice-Chancellor of the Bangalore University, the Karnatak University and the Mysore University on the date of commencement of this Act shall continue to hold office till the date he would have held that office if this Act had not been passed.

71. *Vice-Chancellor to take necessary action for selection appointment, nomination and co-option of members to the Senate, Syndicate and the Academic Council.*—The Vice-Chancellor shall take necessary action

for elections being held, appointments, nominations and co-options being made, under this Act so that the Senate, the Syndicate and the Academic Council shall come into existence not later than the period specified in section 69.

72. *Saving as to certain examinations.*—Notwithstanding anything contained in this Act, the Statutes, Ordinances or the Regulations—

(*a*) any student who immediately prior to the commencement of this Act was studying for a degree of the Bangalore University, the Karnatak University or the Mysore University established under the Bangalore University Act, 1964, the Karnatak University Act, 1949 and the Mysore University Act, 1956 in accordance with the Regulations in force under those Acts, may until such examination is provided by the University, be admitted to the examination of the Universities of Bangalore, Karnatak and Mysore established and incorporated under section 3 and be conferred the degree of the latter Universities for which he qualifies on the result of such examination :

(*b*) if the Bangalore University, the Karnatak University or the Mysore University established under the Bangalore University Act, 1964, the Karnatak University Act, 1949 and the Mysore University Act, 1956 has held any examination the result of which has been published but the degrees relating thereto have not been conferred or issued or the result of any such examination has not been published by the said University, then such examination shall be deemed to have been held by the Bangalore University, the Karnatak University or the Mysore University established and incorporated under section 3.

73. *Repeal of certain enactments.*—(1) The Bangalore University Act, 1964, the Karnatak University Act, 1949 and the Mysore University Act, 1956, are hereby repealed and on such repeal all authorities of the Universities established under the said Acts shall stand dissolved.

(2) Notwithstanding such repeal, all payments made, orders issued, degrees conferred or issued, privileges granted or other things done under such enactments and in force immediately before the commencement of this Act shall, so far as they are not inconsistent with this Act, be deemed to have been respectively made, issued, conferred, granted or done under this Act.

(3) Notwithstanding the repeal of the Acts referred to in sub-section (1), the State Government shall have the right to cause the accounts of the Universities established and section (1), the State Government shall have the right to cause the accounts of the Universities established and incorporated under the said Acts to be audited by such agency as it thinks fit and on the receipt of the audited report to take such action thereon as it may consider necessary.

STATEMENT OF OBJECTS AND REASONS

At present, there are three Universities in the State, *viz,* the Karnatak Univrsity, the Mysore University and the Bangalore University and they are governed by the respective rniversity Acts. Thsse Universities are governed by different rules of governance. It is felt that yhile the Universities should have variety in their academic curricula and specialisations it would be administratively convenient if they are governed by a common Act.

Hence this Bill.

FINANCIAL MEMORANDUM

The employees of the Universities are being made Government servants. Their pay and allowances will have to be paid from the consolidated fund of the State, but to meet the expenditure in respect of their salaries, allowances, etc., the Universities are required to contribute to a Fund called the Universities Administration Establishment Fund. Hence on the whole there is no additional expenditure from the Consolidated Fund of the State on that account.

As no new University is being established, there is no additional expenditure on other accounts also.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Under clause 35 the power of making, repealing and amending statutes is conferred on the Senate. The matters in respect of which the statutes can be made are sperified in clause 34.

Under clause 37 the power of making, repealing and amending ordinances is conferred on the Syndicate. The matters in respect of which the ordinances can be made are specified in clause 36.

Under clause 38 the Academic Council is empowered to make regulations subject to the approval of the Syndicate in respect of matters specified therein.

Under clause 39 the other authorities of the University are empowered to make rules, subject to the approval of the Syndicate in respect of matters specified therein.

The proposed delegation of legislative power is of normal character.

A. R. BADARINARAYANA IYENGAR,

TE. HANUMANTHAPPA,
Secretary.

WD 20358—GPB—550—27-8-1973